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January 23, 2023

VIA ELECTRONIC CASE FILING

Honorable Jesse M. Furman, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: ***Trustees of the Fulton Fish Market Pension Fund v.
M. Slavin & Sons, Ltd.; Case No. 22 CV 00187 (JMF)***

Dear Judge Furman:

This firm represents Plaintiffs in the above-referenced matter. Plaintiffs, writing jointly with Defendants, submit this letter to respectfully request a 60-day extension of time to complete fact discovery from January 30, 2023 to March 31, 2023 and a corresponding adjournment of the February 2, 2023 pretrial conference.

On September 16, 2022, Defendant Mitchell Slavin and Defendants Ocean Box E-Commerce Corp. f/k/a Ocean Box Corp., Oceanbox Wholesale LLC, Oceanbox Holdings LLC, Oceanbox Direct LLC, and Oceanbox Lifestyles LLC, (collectively, “Oceanbox Defendants”), filed an amended answer by and through their newly retained counsel, Thomas Torto, Esq. On October 11, 2022, Defendant Slavin and Oceanbox Defendants served their responses to Plaintiffs’ May 17, 2022 discovery demands. On October 13, 2022, the Court issued a default judgment in favor of Plaintiffs and against Defendant M. Slavin & Sons, Ltd. in the amount of \$784,777.88.

On November 14, 2022, the parties met and conferred pursuant to Local Rule 37.2 concerning deficiencies in the discovery responses of Defendant Slavin and Oceanbox Defendants. On December 21, 2022, Defendant Slavin and Oceanbox Defendants served Plaintiffs with supplemental disclosure. On January 13, 2023, Plaintiffs served Defendant Slavin and Oceanbox Defendants with notices of deposition for the week of January 23, 2023. On January 19, 2023, Defendant Slavin and Oceanbox Defendants advised Plaintiffs that Defendant Slavin would be representing himself and each of the Oceanbox Defendants at the noticed depositions. Mr. Slavin is not available for his depositions until the second week of February 2023. Based on Defendant Slavin’s designation as the representative for Oceanbox Defendants and on Defendants’ document production, Plaintiffs anticipate issuing subpoenas to non-parties.

Accordingly, the parties respectfully request an extension of fact discovery for 60 days on account of Mr. Slavin’s availability and Plaintiff’s anticipated non-party discovery. This request is the parties’ second such request. The Court granted the parties’ first such request, which was prompted by Defendants’ substitution of counsel. The parties do not anticipate using experts, rendering the expert discovery deadline unnecessary. All parties consent to this request.

John M. Harras
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United States District Court, S.D.N.Y.
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The parties thank the Court for its time and attention to this matter.

Respectfully submitted,

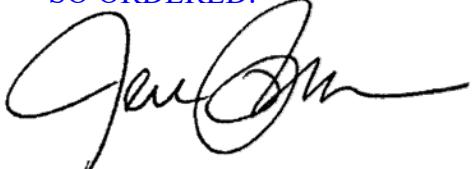
/s/

John M. Harras

cc: Counsel of Record (via ECF)

Application GRANTED. The pretrial conference scheduled for February 2, 2023, is hereby ADJOURNED to April 3, 2023, at 9:00 a.m. The Clerk of Court is directed to terminate ECF No. 47.

SO ORDERED.



January 24, 2023